

## **REMARKS/ARGUMENTS**

### **STATUS OF THE CLAIMS**

Claims 1-20 are currently pending. Claims 16-20 were previously withdrawn. Applicant respectfully requests reconsideration of Claims 1-20 in view of the following remarks.

### **CLAIM REJECTIONS - 35 U.S.C. § 112**

Claims 1-15 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement.

All of the embodiments shown and described in the originally-filed specification of the current application include a spray tip, a cap body, and a flow regulating insert defining a flow path along a single axis. The originally-filed specification of the current application includes Figures 3-5 and 8-9, which clearly illustrate a spray tip (12 or 102), a cap body (16 or 108), and a flow regulating insert (30, 60, or 122) defining a flow path along a single axis. The single axis is shown in the top view of Figure 1, in Figures 2 and 7 as section lines, and in Figure 3 as an axis through the center of the spray nozzle. The originally-filed specification of the current application also discloses that “[t]he single piece system of course, assures the proper orientation of the slot-shaped discharge opening relative to the cap.” *Current Specification*, page 4, lines 27-30. In addition, the originally-filed specification of the current application discloses as follows:

The spray nozzle system includes a cap body that is fixed to or formed integrally with the spray tip. The cap and spray tip combination is further provided with an in-line flow regulating insert device....

*Current Specification*, page 6, lines 1-5 (emphasis added).

One of ordinary skill in the art would understand that Applicant had possession of the claimed invention at the time the current application was filed, because Figures 3-5 and 8-9 and the portions of the specification noted above clearly illustrate and describe a spray tip, cap body,

and flow regulating insert defining a flow path along a single axis. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 112 rejection of Claims 1-15.

CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 1-3, 5, and 7-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,899,937 (Haruch).

Independent Claim 1

Amended Claim 1 specifies “the spray tip, the cap body, and the flow regulating insert defining a flow path along a single axis.”

Haruch discloses an inlet port 16, a nozzle body 11, and a cap 22 having a discharge orifice 25 and a deflector flange 26. As shown in Figures 2 and 3 of Haruch, the inlet port 16 receives liquid from a liquid supply. The liquid flows through the inlet port 16 and into the nozzle body 11. The liquid flow path defined by the nozzle body 11 is generally perpendicular to the liquid flow path defined by the inlet port 16. As a result, the flow path defined by the inlet port 16 is not in the same axis as the nozzle body 11 and the discharge orifice 25. In addition, the deflector flange 26 of Haruch directs the particles into a spray pattern transverse to the axis of the nozzle body 11. Accordingly, the deflector flange 26 defines a flow path that is not in the same axis as the nozzle body 11 and the discharge orifice 25.

Thus, Haruch does not disclose a spray tip, a cap body, and a flow regulating insert that define a flow path along a single axis, as specified by Claim 1. Therefore, independent Claim 1 and dependent Claims 2-15 are allowable.

Dependent Claims 2, 3, 5, and 7-9

Claims 2, 3, 5, and 7-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Haruch. Claims 2, 3, 5, and 7-9 depend from Claim 1 and are therefore allowable for the reasons set forth above with respect to Claim 1. Claims 2, 3, 5, and 7-9 also define additional patentable subject matter not specifically discussed herein.

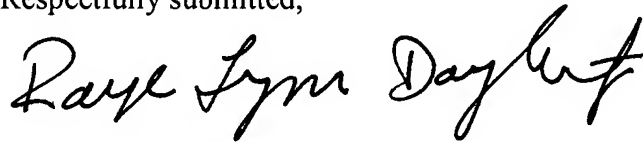
CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 4, 6, and 10-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Haruch in view of U.S. Patent No. 5,564,448 (Lincoln). Claims 4, 6, and 10-15 depend from Claim 1 and are therefore allowable for the reasons set forth above with respect to Claim 1. Claims 4-6 and 10-15 also define additional patentable subject matter not specifically discussed herein.

CONCLUSION

In light of the above, Applicant respectfully requests allowance of Claims 1-15 and reconsideration of withdrawn Claims 16-20.

Respectfully submitted,

A handwritten signature in black ink, reading "Raye Lynn Daugherty". The signature is fluid and cursive, with the first name "Raye" being the most prominent.

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